IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO.1851 OF 2005

Sahi Oretrans Pvt.Ltd. ....Petitioner
Versus
Union of India & Ors. ....Respondents

Ms.Arti P. Bhide for the Petitioner.
Ms.Anamika Malhitra i/b Dr.T. C. Kaushik for Respondent Nos.1 to 5.
Mr.A. D. Fegade with Mr.Umesh Shetty i/b Mulla & Mulla & C. B. & C. for Respondent No.6.

CORAM : DALVEER BHANDARI, C.J. &
S.J. VAZIFDAR, J.
DATE : 19TH SEPTEMBER, 2005.

P.C. :

The Petitioner is aggrieved by the order dated 3rd January, 2002 passed by the Joint Commissioner of Customs, Manifest Clearance Department, Mumbai-1, by which the penalty of Rs. 4.5 lacs has been imposed on the steamer agent and directed him to pay the same within thirty days.

2. During the course of hearing, Mrs.Deshmukh, Appraisal Officer on behalf of Respondent - Union of India submits that Respondent No.1 has decided to reduce the penalty from Rs. 4.5 lacs

to Rs. 1.5 lacs. The Petitioner undertakes to pay the said amount to Respondent No.1 within three weeks from today. The learned counsel appearing for the Petitioner submits that since the Department has reduced the penalty and which she undertakes to deposit, therefore no further directions are necessary and this Petition is accordingly dismissed.

3. In case the penalty of Rs. 1.5 lacs is not deposited within three weeks from today, then the entire penalty which has been imposed by Respondent No.1 shall become due and payable.

CHIEF JUSTICE

S.J. VAZIFDAR, J.